

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BRAUN GmbH,

Plaintiff,

v.

REMINGTON PRODUCTS COMPANY,
LLC,

Defendant.

Civil Action No. 03-CV-12428-WGY

MOTION TO CORRECT INVENTORSHIP

Pursuant to 35 U.S.C. § 256, Plaintiff Braun GmbH (“Braun”) hereby respectfully moves this Court to order the correction of inventorship on U.S. Patent No. 5,711,328 (the “’328 Patent”) and U.S. Patent No. 5,649,556 (the “’556 Patent,” together with the ’328 Patent, the “patents- in-suit”) to reflect Dr. Dietrich Pahl’s contributions as co-inventor with Mr. Gebhard Braun on the patents- in-suit. The omission of Dr. Pahl on these patents occurred inadvertently and without deceptive intent; Mr. Braun, the named inventor, does not object to the correction; and Braun, the assignee, consents to the correction. In further support of its motion, Braun relies on a Memorandum of Law and the Declarations of Dr. Pahl and Mr. Braun submitted herewith.

WHEREFORE, Braun respectfully requests that Court enter the proposed order, directing the Director of the United States Patent and Trademark office to issue Certificates of Correction, thereby adding Dr. Dietrich Pahl as co-inventor of the ’328 Patent and the ’556 Patent.

BRAUN GmbH

By its attorneys,

/s/ Dalila Argaez Wendlandt

William L. Patton (BBO #391640)

Dalila Argaez Wendlandt (BBO #639280)

ROPES & GRAY LLP

One International Place

Boston, MA 02110-2624

(617) 951-7000

(617) 951-7050 (facsimile)

Dated: August 2, 2004

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that counsel for Plaintiff conferred with counsel for Defendant in a good faith effort to resolve the issues set forth herein.

/s/Dalila Argaez Wendlandt
Dalila Argaez Wendlandt

CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2004, I caused a copy of the Motion To Correct Inventorship, Memorandum of Law In Support of Motion To Correct Inventorship, the Declarations of Dr. Dietrich Pahl, Gerhard Braun (English and German), and Wolfgang Vorbeck, and the Proposed Order to be served as follows:

By Hand
Thomas E. Dwyer, Jr.
Dwyer & Collora, LLP
600 Atlantic Avenue
Boston, MA 02110-1122

By Overnight Courier
Mark A. Pals
Kirkland & Ellis, LLP
Aon Center
200 E. Randolph Drive
Chicago, IL 60601

/s/Dalila Argaez Wendlandt
Dalila Argaez Wendlandt